

AMENDMENTS TO THE DRAWINGS:

A replacement drawing is submitted for Figure 2.

REMARKS

The application has been amended to place it in condition for allowance at the time of the next Official Action.

A replacement drawing is submitted for Figure 2 adding reference numeral 20 denoting the opening abutment and adding reference numeral 21 denoting the closure abutment. The above changes are the only changes and are believed not to introduce new matter while addressing the drawing objection noted in the Official Action.

Claims 1-14 were previously pending in the application. New claims 15-17 are added. Therefore, claims 1-17 are presented for consideration.

Claim 1 is amended to recite "said one of said two bodies forming a lid" to replace each instance of "the lid-forming body" to address the 35 USC 112, second paragraph rejection noted in the Official Action. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Claims 1, 2, 8-10, 12 and 13 were rejected under 35 USC 103(a) as being unpatentable over KNOBLAUCH 6,024,218 in view of WONG U.S. Publication No. 2005/0061815. That rejection is respectfully traversed.

Claim 1 is amended to clarify that the body forming a lid is mounted to pivot inside the parallelepiped body.

Neither KNOBLAUCH nor WONG discloses this feature. Rather, in both of these references, the lid is configured to rotate outside the main body.

As the references do not disclose that which is recited, the proposed combination of references does not meet the present claims.

The dependent claims are believed to be patentable at least for depending from an allowable independent claim.

Claims 3-7 were rejected under 35 USC 103(a) as being unpatentable over KNOBLAUCH in view of WONG and further in view of FRICK 5,984,093. That rejection is respectfully traversed.

FRICK does not overcome the shortcomings of KNOBLACH and WONG set forth above with respect to claim 1. Since claims 3-7 depend from claim 1 and further define the invention, these claims are believed to be patentable at least for depending from an allowable independent claim.

In addition, at least claim 7 includes features not disclosed by the proposed combination of references. Claim 7 recites that the complementary body is provided with a truncated or beveled portion allowing contact to be established with the protuberant portion throughout the path along which the one of two bodies forming a lid pivots.

Such a feature enables the recited stowage device to maintain its substantially parallelepipedic shape while being compact and ergonomic.

By contrast, the protrusion of WONG extends outside the device, increasing the footprint of the device.

The position set forth in the Official Action is that the claimed shape is a matter of obvious design choice.

However, the Federal Circuit has held that a finding of "obvious design choice" is precluded where the structure and the function it performs are different from those of the prior art. *In re Chu*, 66 F.3d 292, 46 USPQ 2d 1089, 1094, 1095 (Fed. Cir. 1995).

In the present case, the above design has a different function than the prior art because such design allows access to the protuberance even when the protuberance is inside the confines of the complementary body.

The proposed combination of references does not disclose such a function (access to the protuberance inside a body) and thus the function is different than that of the disclosed prior art and therefore obvious design choice is precluded.

Claim 11 was rejected under 35 USC 103(a) as being unpatentable over KNOBLAUCH in view of WONG and further in view of GERMANO 6,113,202. That rejection is respectfully traversed.

GERMANO is only cited with respect to features of claim 11. GERMANO does not overcome the shortcomings of KNOBLAUCH and WONG set forth above with respect to claim 1. Since claim 11 depends from claim 1 and further defines the invention, claim 11

is believed to be patentable at least for depending from an allowable independent claim.

Claim 14 was rejected under 35 USC 103(a) as being unpatentable over KNOBLAUCH in view of WONG and further in view of BRUNSON et al. U.S. Publication No. 2006/0070900. That rejection is respectfully traversed.

BRUNSON is only cited with respect to features of claim 14. BRUNSON does not overcome the shortcomings of KNOBLAUCH and WONG set forth above with respect to claim 1. Since claim 14 depends from claim 1 and further defines the invention, claim 14 is believed to be patentable at least for depending from an allowable independent claim.

New claims 15-17 are added. Support for the new claims can be found in the original claims and in Figures 1 and 2.

In view of the present amendment and the foregoing Remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional
fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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APPENDIX:

The Appendix includes the following item(s):

- ☐ - a terminal disclaimer
- ☐ - a 37 CFR 1.132 Declaration
- ☐ - a new or amended Abstract of the Disclosure
- ☒ - a Replacement Sheet for Figure 2 of the drawings
- ☐ - a Substitute Specification and a marked-up copy of the originally-filed specification
- ☐ - a verified English translation of foreign priority document